

REMARKS


The Examiner has required election of a single disclosed invention for prosecution on the merits in this case. The Examiner alleged the existence of three patentably distinct inventions:

- Group I: Claims 1-5, 10-14 and 24, drawn to a testing apparatus for analyzing a microarray, classified in class 435, subclass 287.2;
- Group II: Claims 6-9, 15-19 and 25, drawn to a testing method using a microarray, classified in class 435, subclass 6; and
- Group III: Claims 20-23, drawn to a microarray comprising a first and second DNA probe, classified in class 536, subclass 24.3.

Applicant hereby provisionally elects Group II, claims 6-9, 15-19 and 25, with traverse.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


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